



U.S. Department of Justice

Environment and Natural Resources Division

ML:rcd

90-1-24-177-02709

Law and Policy Section  
P.O. Box 4390  
Washington, DC 20044-4390

Telephone (202) 514-1442  
Facsimile (202) 514-4231

October 30, 2009

C. Brooks Cutter, Esq.  
John R. Parker, Jr., Esq.  
Ian Hunter, Esq.  
**KERSHAW CUTTER & RATINOFF, LLP**  
401 Watt Ave.  
Sacramento, CA 95864

Jack Silver, Esq.  
**LAW OFFICE OF JACK SILVER**  
P.O. Box 5469  
Santa Rosa, CA 95402-5469

Charity M. Gilbreth, Esq.  
**LATHAM & WATKINS**  
650 Town Center Drive, 20th Fl.  
Costa Mesa, CA 92626-1925

Re: Environmental World Watch, Inc., et al. v. Walt Disney Company, et al.,  
Civ. No. 2:09-CV-4045, C.D. Cal. (Western Division – Los Angeles)

Dear Counsel of Record:

As required by the Clean Water Act, 33 U.S.C. § 1365(c)(3), plaintiffs' counsel sent the Attorney General a copy of the Complaint in the above captioned citizen suit. Please review the attached document entitled "Notification on Receipt of a Clean Air Act or Clean Water Act Citizen Suit Complaint," which contains information that we routinely transmit upon receipt of such a complaint.

The Department of Justice has assigned me to answer questions or otherwise assist the parties in achieving a fair and expeditious resolution of this litigation. In reading through the plaintiff's complaint and attachments I observed that in Exhibit B, Notice of Violations and Intent to File Suit Under the Clean Water Act, on page 57, plaintiffs' counsel claims that "[t]he EPA and the State of California have identified DISNEY's operations at the Facility as point sources, the discharges from which contribute to violations of applicable water quality standards." The undersigned has consulted with the EPA Region 9 regarding this claim, and the Region is not familiar with any factual basis for this statement.

Please feel free to contact me at (202) 514-9050 at any time. I am also available to answer questions about citizen enforcement generally and to discuss the role of the United States in such cases.

Sincerely,

Matthew Z. Leopold, Attorney

Attachment